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10 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

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12 JOHN THOMAS BLACK,

13 Plaintiff,

14 v.

15 DOUG WADDINGTON *et al.*,

16 Defendants.

Case No. C08-5643FDB/JKA

ORDER GRANTING
PLAINTIFF'S MOTION FOR AN
EXTENSION OF TIME TO
RESPOND TO AN ORDER TO
SHOW CAUSE

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19 This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28
20 U.S.C. § 636(b)(1)(B) and Local Magistrate Judges' Rules MJR 1, MJR 3, and MJR 4. Plaintiff was given
21 leave to proceed *in forma pauperis*.

22 On November 12, 2008, the court entered an Order to Show Cause why this matter should not be
23 dismissed (Dkt # 6). That order gave plaintiff until December 5, 2008, to either file an amended complaint
24 or show cause. On the same date the court entered the Order to Show Cause, the clerk's office posted a
25 motion asking for leave to file an amended complaint (Dkt. # 3).

26 Plaintiff alleges he did not receive the Order to Show Cause, but, he telephonically contacted the
27 clerk's office on December 6, 2008, to determine the status of his action. On December 15, 2008, he filed
28 a motion for an extension of time. That motion was noted for January 2, 2009, (Dkt # 10).

1 Plaintiff's motion for an extension of time is **GRANTED**. Plaintiff will have until **February 20,**
2 **2009**, to either file a response to the Order to Show Cause or file an amended complaint that cures the
3 defect outlined in the original order (Dkt # 6).

4 The Clerk is directed to send plaintiff a copy of this Order and remove Dkt # 3 from the court's
5 calendar. Plaintiff has leave to file an amended complaint. The clerk's office should also remove Dkt. # 10
6 from the Court's calendar as that motion has been granted. The clerk's office should re-note a response to
7 Dkt. # 6 as being due **February 20, 2009**.

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9 DATED this 14 day of January, 2009.

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11 /S/ J. Kelley Arnold
12 J. Kelley Arnold
13 United States Magistrate Judge
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